

Case 13-02132 Filed 07/29/13 Doc 52
UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
CIVIL MINUTE ORDER

Adversary Title : Edstrom v. Auburn Lake Trails Property Owners Association et
Case No : 12-29353 – B – 11
Adv No : 13-02132 – B
Date : 7/23/13
Time : 09:32

Matter : [8] – Motion/Application to Dismiss Adversary Proceeding/Notice of Removal [ATL-1] Filed by Defendant Auburn Lake Trails Property Owners Association (ltas)

Judge : Thomas Holman
Courtroom Deputy : Sheryl Arnold
Reporter : Diamond Reporters
Department : B

APPEARANCES for :

Movant(s) :
(by phone) Defendant's Attorney – Sam Chon for Auburn Lake Trails Property Owners Assoc.

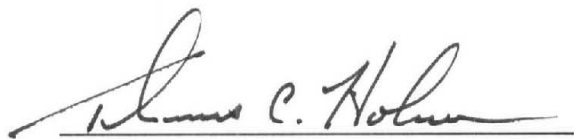
Respondent(s) :
Plaintiff – Daniel Major Edstrom

CIVIL MINUTE ORDER

Findings of fact and/or conclusions of law are appended to the civil minutes and good cause appearing.

IT IS ORDERED that the motion is granted in part. The complaint commencing this adversary proceeding is dismissed as to all claims for relief and all defendants with leave to amend. The plaintiff debtor is ordered pursuant to Fed. R. Civ. P. 12(e) to file and serve a first amended complaint that is consistent with this ruling and which shall not exceed forty (40) pages in length, not including any attached exhibits, and which shall be filed and served on or before August 23, 2013. If the plaintiff fails to file an amended counterclaim by the foregoing date, the movant may submit to the court a proposed order dismissing all claims set forth in the complaint. Except as so ordered, the motion is denied.

Dated: July 26, 2013



Thomas C. Holman
United States Bankruptcy Judge

This document does not constitute a certificate of service. The parties listed below will be served a separate copy of the attached Civil Minute Order.

Sam Chon
1451 River Park Dr #285
Sacramento, CA 95815

Daniel Edstrom
2690 Brown Bear Ct
Cool, CA 95614